

2019-017643GEN



San Francisco Planning

TEMPORARY USE AUTHORIZATION (TUA)

APPLICATION

Property Information

Project Address: 3252 19th Street

Block/Lot(s): 3591/025

Property Owner's Information

Name: Jeremy and Sidney Mucha

Address: 2952 NW 132nd Avenue, Portland OR 97229

Email Address: jeremymucha@comcast.net

Telephone: (503) 704-4907

Applicant Information

☐ Same as above

Name: Joey Mucha

Company/Organization: Joey the Cat Skee-Ball Rentals

Address: 3252 19th Street, San Francisco CA 94110

Email Address: joemucha@gmail.com

Telephone: (415) 308-3711

Please Select Billing Contact:

☐ Owner

☒ Applicant

☐ Other (see below for details)

Name: Joey Mucha

Email: joemucha@gmail.com

Phone: (415) 308-3711

Please Select Primary Project Contact:

☐ Owner

☒ Applicant

☐ Billing

RECEIVED

OCT 01 2019

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

USE DESCRIPTION

Name of Temporary Business or Event:

Pop-Up Retail Amusement Arcade

Description of Temporary Use:

Use of at least 11 electronic and mechanical amusement games by no more than forty-nine people per private catered event in this Urban Mixed Use District site, which has existing legal use as automotive repair.

Name of primary contact/responsible party during business hours:

Joey Mucha

Mobile telephone number:

(415) 308-3711

Duration of Temporary Use/Window of Authorization:

Start date:

November 2, 2019

End date:

December 31, 2019

Total # of days:

60 days or per attached

* Dates are inclusive (e.g. they are valid days of operation within the use's time limit); total number of days may not exceed

Zoning Administrator Determination dated September 23, 2019

Frequency of Temporary Use within window of authorization (e.g. every day, weekly, monthly, etc):

twice weekly

TEMPORARY USE CATEGORY

Check the box for the temporary use category into which the proposed use would fall. Please note that this summary table in no way supersedes Planning Code Section 205 et. seq. or Section 211.1(g) which provide greater detail on allowable uses and conditions of operation. If the proposed use does not conform to one of the following categories it cannot be approved as a Temporary Use.

		USE TYPE	MAXIMUM TIME LIMIT	ZONING DISTRICT	CODE SECTION
<input type="checkbox"/>	A	neighborhood festival sponsored by residents in the vicinity	60 days	all	205.1(a)
<input type="checkbox"/>	B	neighborhood festival sponsored by property owners or businesses in the vicinity	60 days	NC, Mixed Use, PDR, C, M	205.1(a)
<input type="checkbox"/>	C	booth for charitable, patriotic or welfare purposes	60 days	all	205.1(b)
<input type="checkbox"/>	D	open air sale of seasonal decorations such as Christmas trees or Halloween pumpkins.	60 days	all	205.1(c)
<input type="checkbox"/>	E	outdoor "intermittent activities" such as mobile food facilities (a.k.a. street food) or farmers markets	3 days/week or 6 twelve-hour days/week for 1 year	all except RH, RM, RED, RTO	205.4
<input type="checkbox"/>	F	mobile food facilities located in P Districts larger than one acre	1 year, no hourly/daily limit	P	205.4(b)(3)
<input type="checkbox"/>	G	rental or sales office incidental to a new residential development	1 year	all	205.2(b)
<input type="checkbox"/>	H	automobile wrecking	2 years	M-1, M-2	205.2(c)
<input type="checkbox"/>	I	structures and uses incidental to construction activities	2 years	all	205.2(a)
<input type="checkbox"/>	J	celebration or exhibition sponsored by a residential or commercial occupant(s)	single 24-hour event per month for 1 year	PDR, C, M, NC, Mixed Use Districts	205.3(a) & (b)
<input type="checkbox"/>	K	wireless facility	1 year	all where WTS permitted	205.2(d)
<input type="checkbox"/>	L	temporary uses on Public Property	3 years	P	211.1(g)
<input checked="" type="checkbox"/>	M	"pop-up" retail	60 days	all; limited in R-districts; must be within a legally established Commercial Use	205.1(d)

CHRISTMAS TREE SALES

Complete this Section **only** if you have checked box "D" in Section 4, above, and the proposed Temporary Use involves the sale of Christmas trees. Any approval of such a Temporary Use Authorization is contingent on the applicant stipulating to the following statement:

I do ☐ / do not ☐ (check only one) intend to sell to "regulated occupancies." A regulated occupancy is defined in Section 15.01 of the San Francisco Fire Code as any occupancy set forth in Subchapter 1, Chapter 1, Title 19 of the California Administrative Code, and shall include any building, structure, or tent, or portion thereof, used, designed, or intended for use as a retail store and any area accessible to the public in any hotel, apartment, or office building. For a more complete explanation, please consult the Bureau of Fire Prevention of the San Francisco Fire Department.

In accepting this Temporary Use Authorization, I certify that I am familiar with the laws, ordinances, and regulations of the City and County of San Francisco related to open air sales of Christmas trees and that the sale of Christmas trees on the premises identified on this application will be done in compliance with such laws, ordinances, and regulations. I further certify that I agree to comply with special procedures called for in Fire Department regulations.

I agree to indemnify the City and County of San Francisco, and its officers and employees, against and to hold the City and County of San Francisco, and its officers and employees, harmless from any and all loss of or damage to any property, and injury to or death of any person whomsoever, proximately caused in whole or in part by my failure to carry out the responsibilities provided under Article 15 of Part II, Chapter IV (Fire Code) of the San Francisco Municipal Code for the operation or maintenance of open air sale of Christmas trees or live Christmas trees, or by violation of any provision of said Article 15 related to the sale or distribution of such trees, or by negligence of myself or any of my agents or employees, or by any acts or omissions for which I or my agents or employees are liable without fault, in the exercise of rights pursuant to or operations under said permit, and I further agree to defend the City and County of San Francisco and its officers and employees against all claims, demands, and actions therefor.

INTERMITTENT ACTIVITIES

Complete this Section **only** if you have checked box "E" or box "F" in Section 4 and the proposed Temporary Use would be considered an Intermittent Activity such as a mobile food facility. If you have checked box "E" in Section 4, all parts of this Section must be answered. If you have checked box "F" in Section 4, you need only complete parts "A" and "G."

Check only one box for each question. For the purposes of this Section, the activity's "vending space" is the entire area within a single rectangular perimeter that encompasses all carts, vehicles, tables, chairs, and other equipment associated with the activity which is the subject of this application. Because of the technical nature of portions of this Section, Planning Department Staff will be available to assist you in completing it at the time of submittal.

A. The activity will be located:	
<input type="checkbox"/>	within a building, in whole or part
<input type="checkbox"/>	entirely outside of a building
B. Nothing associated with the activity will be physically located on the property for longer than:	
<input type="checkbox"/>	3 calendar days each week
<input type="checkbox"/>	6 calendar days each week for a maximum of 12 hours per day
C. Business hours will be limited to the hours of operation applicable to the property's Zoning District, which are:	
<input type="checkbox"/>	6 a.m. to 11 p.m.
<input type="checkbox"/>	6 a.m. to midnight
<input type="checkbox"/>	6 a.m. to 2 a.m.
<input type="checkbox"/>	not limited
D. The activity's vending space, as defined above, contains:	
<input type="checkbox"/>	300 square feet or less
<input type="checkbox"/>	more than 300 square feet
E. The activity's vending space, as defined above, is separated from the nearest RH, RM, RED, or RTO District by:	
<input type="checkbox"/>	50 feet or less
<input type="checkbox"/>	more than 50 feet
F. To the best of your knowledge, the premises identified on this application:	
<input type="checkbox"/>	does not contain any other intermittent use
<input type="checkbox"/>	contains one or more additional intermittent uses

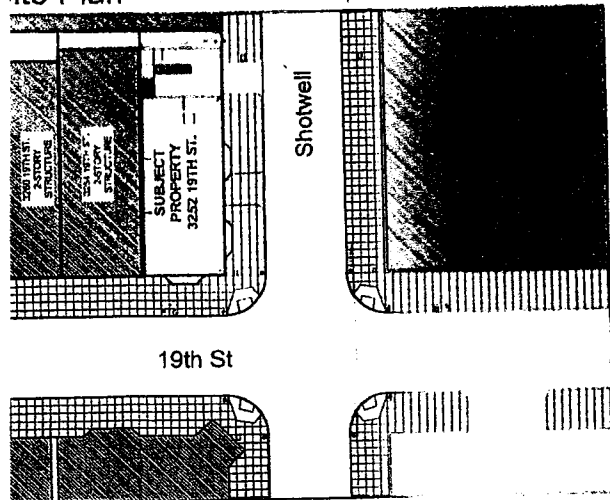
<p>G. In the space below, draw a site plan of the property which is the subject of this application. Please clearly indicate the size and location of the vending space in relation to all property lines, along with adjacent streets and any buildings or other notable features on the property. Include dimensions where appropriate. You may also attach drawings to this application in lieu of drawing them in this space. Please limit the size of your drawings to a maximum of 11" by 17".</p>
<p style="text-align: center;">Site Plan and Floor Plan of Proposed Pop-Up Arcade Area Attached</p>

INTERMITTENT ACTIVITIES

While this Section only has relevance for certain types of Temporary Uses, **it must be completed by all applicants.** Any approval of a Temporary Use Authorization involving food-related activities is contingent on the applicant stipulating to the following statement:

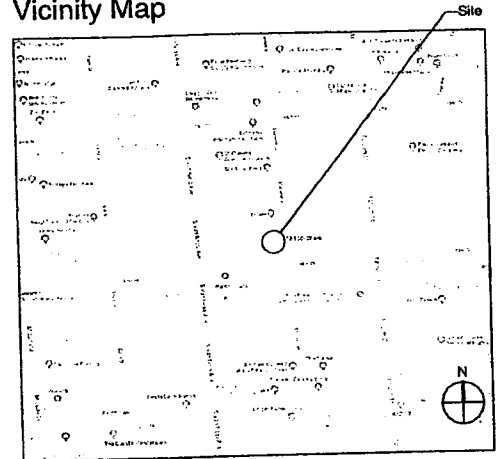
I do ☒ do not ☐ (check only one) intend to prepare, cook, store or sell food products. If the "I do" box has been checked, I acknowledge that I am required to obtain a permit from the Department of Public Health and potentially other City Agencies prior to commencing any operations. Additionally, I certify that I am familiar with the laws, ordinances, and regulations of the City and County of San Francisco and the California Retail Food Code (CalCode) that relate to the preparation, cooking, storage, safe handling, and sale of food. Any preparation, cooking, storage, handling, or sale of food on the premises identified on this Application will be done in compliance with such laws, ordinances, and regulations and with the CalCode.

Site Plan



3252 19th Street
San Francisco CA 94110
APN 3591-025

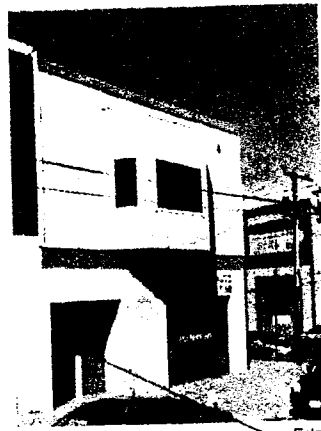
Vicinity Map



Site Photos



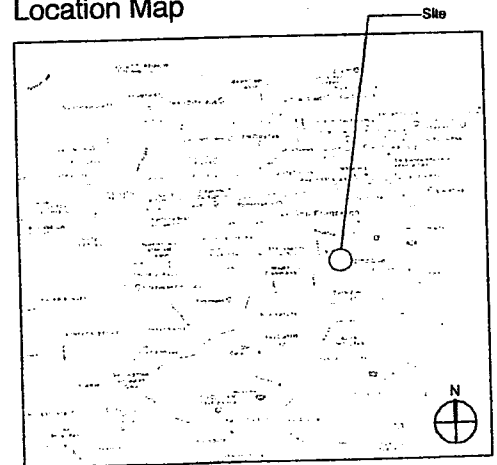
South East Corner

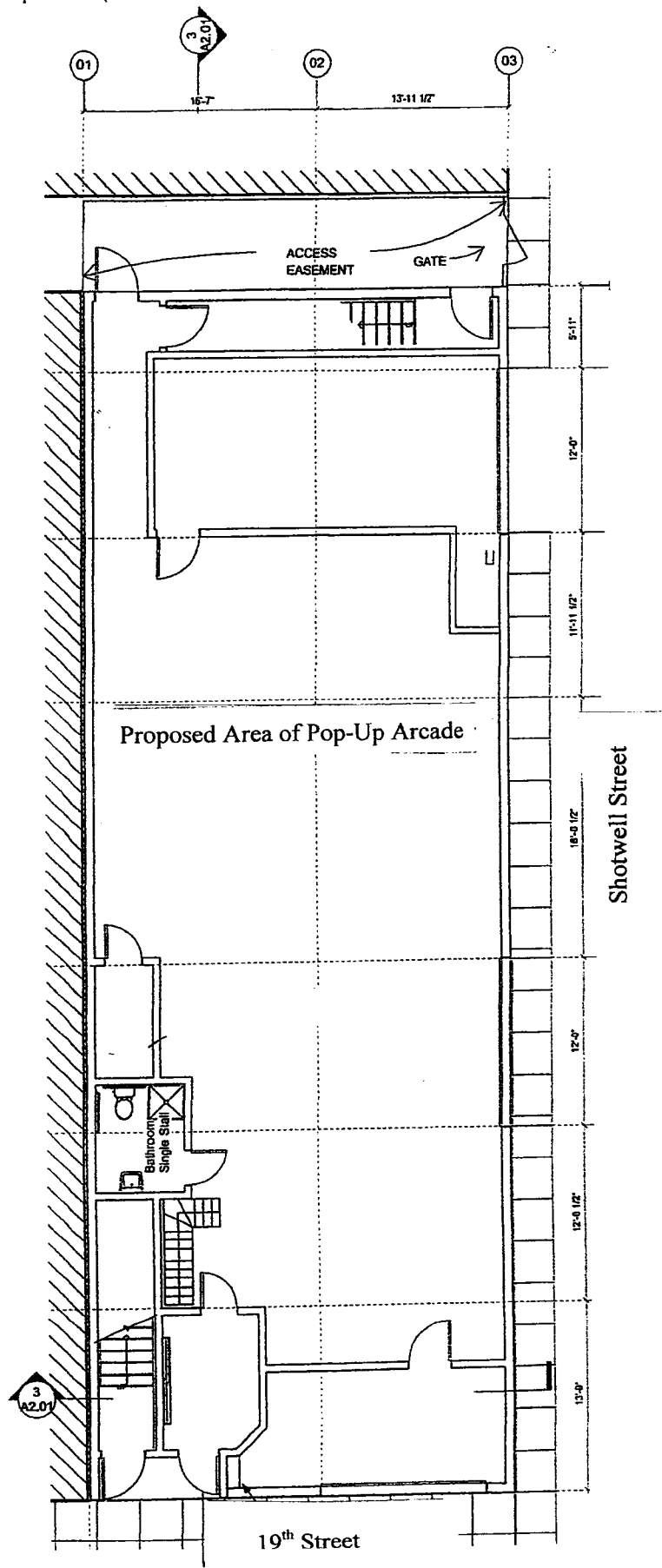


South West Corner (entry)

Entry

Location Map



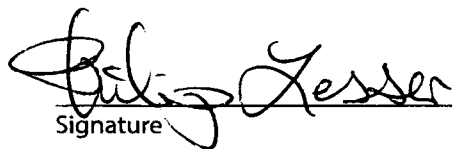


3252 19th Street
San Francisco CA 94110
APN 3591-025

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.



Signature

August 24, 2019

Date

Philip Lesser

Name (Printed)

Owners' Agent

Relationship to Project
(i.e. Owner, Architect, etc.)

(650) 346-2903

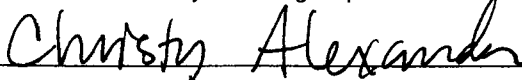
Phone

phnsan@msn.com

Email

For Department Use Only

Application received by Planning Department:

By: 

Date: 10/1/19

For Department Use Only

Fee amount: \$523
 Amount paid: \$523
 Date paid: 10/1/19
 Receipt Number: 224105

Check and complete:

☐ Application received by Planning Department and held for further review.

By: _____ Date: _____

☒ Application approved pursuant to Planning Code Section 205.1(d) for the period beginning on 11/2/19 and ending on 12/31/19, inclusive, and further limited within this period as described below:

<input type="checkbox"/>	no additional limit
<input type="checkbox"/>	single 24-hour event per month
<input type="checkbox"/>	3 calendar days each week
	circle a maximum of 3 designated days: M T W Th F Sa Su
<input type="checkbox"/>	6 calendar days each week for a maximum of 12 hours per day
	circle a maximum of 6 designated days: M T W Th F Sa Su
	list maximum daily hours:
<input type="checkbox"/>	pop-up events may not serve alcohol or operate past 10pm. No more than one (1) pop-up retail TUA shall be issued within a 6-month period.

☒ see 2A letter attached with specific conditions
 This approval is for the specific proposal described in this Application and is further subject to the restrictions contained in the aforementioned Code Section and elsewhere in the Planning Code.

Signature: C. Alexander on behalf of the Zoning Administrator

Printed Name: Christy Alexander Date: 10/1/19

shall expire if/when CPC disapproves the associated bldg permit for permanent use or if/when the use is made permanent through completed issued bldg permit.
 - All other City approvals must be obtained

Important Information for Applicants and Proprietors

- This document, along with the notations and signatures above, is your Temporary Use Authorization. No subsequent document will be issued by the Planning Department.
- It is incumbent on you to familiarize yourself with the conditions of this Authorization and with all applicable Code provisions and to abide by them at all times. Failure to do so shall be grounds for the immediate suspension or revocation of this Authorization.
- If the Authorization relates to a Mobile Food Facility, be reminded that you are authorized to operate only at the specific location identified in Part 6(G) and only for the days and/or hours identified above. The Mobile Food Facility cannot be on the property at any other time.
- This Temporary Use Authorization is a land-use and zoning approval only. It does not establish any right to conduct activities that require authorization from other City Departments such as the Entertainment Commission, Health, Police, etc.
- If you have any questions about this Authorization, contact the Planning Information Center at (415) 558-6377.

Planning Department
City and County of San Francisco
1650 Mission Street
San Francisco, CA 94103-2414

RECEIPT		DATE <u>10/1/19</u>	No. <u>224105</u>
RECEIVED FROM <u>Philip F Lesser</u>		<u>\$ 523.00</u>	
<u>Five hundred twenty three + 900</u>		DOLLARS	
<input type="radio"/> FOR RENT		<u>TUA 3252 19th St</u>	
<input type="radio"/> FOR			
ACCOUNT		<input type="radio"/> CASH	FROM _____ TO _____ BY <u>Melissa</u>
PAYMENT		<input type="radio"/> CHECK	
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input checked="" type="radio"/> CREDIT CARD	

3-11

Re: 60-Day Temporary Use Application -- Pop-Up Retail Arcade @ 3252 19th Street

You forwarded this message on Mon 9/23/2019 9:54 PM

Teague, Corey (CPC)

Mon 9/23/2019 9:21 PM

- You;
- Banales, Julian (CPC);
- Sucre, Richard (CPC);
- Rachna, Rachna (CPC);
- Joey Mucha;
- Jeremy Mucha

Phil,

I apologize for the delayed response. The TUA may be approved with a condition of approval that it shall expire if/when the Planning Commission disapproves the associated building permit for the permanent use, or if/when the use is made permanent through the completion of an issued building permit. The rationale for this decision is that we would let the use continue to operate during the legalization process anyway, and at least with the TUA you are taking appropriate permitting action to legally establish the use as a permitted temporary use while it goes through a permanent legalization process.

My only concern is if any other City approvals for the temporary use are required from other agencies (i.e. DBI, Fire, DPH, etc.). So Planning will condition the approval of the TUA to require that all other City authorizations are obtained for the temporary use.

You can work with Julian, Rich, or other core PIC staff on this TUA. Please let me know if you have any other questions. Thanks.

Corey A. Teague, AICP, LEED AP
Zoning Administrator
1650 Mission Street, Suite 400
San Francisco, CA 94103

corey.teague@sfgov.org

(415) 575-9081 (phone)

(415) 558-6409 (fax)

PLANNING DEPT
1650 MISSION ST STE 400
SAN FRANCISCO, CA 94103

10/01/2019 13:16:09
MID: XXXXXXXXXXXX188 TID: XXXXX561

DEBIT CARD

DEBIT SALE

Card #	XXXXXXXXXXXX3092
Network:	INTERLINK
Chip Card:	US DEBIT
AID:	A0000000980840
SEQ #:	1
Batch #:	342
INVOICE	1
Approval Code:	932232
Entry Method:	Chip Read
Mode:	Issuer - PIN Verified

SALE AMOUNT \$523.00

Signature Not Required
PHILIP F LESSER

MERCHANT COPY